

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

STATE OF TEXAS, *et al.*,
Plaintiffs, § CIVIL ACTION NO.
§ 6:23-CV-00007
§
§
vs. §
§ JUDGE DREW S. TIPTON
§
§
UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*, §
§
Defendants. §

**UNOPPOSED REQUEST TO CONTINUE DEADLINES
FOR BRIEFING ON PLAINTIFF STATES'
MOTION FOR PRELIMINARY INJUNCTION [ECF 22]**

Federal and Intervenor Defendants in the above-captioned action respectfully request that the Court continue the deadlines for briefing on the Plaintiff States' Motion for Preliminary Injunction, ECF 22, by 30 days. Federal and Intervenor Defendants have met and conferred with Plaintiffs on this request, and Plaintiffs do not oppose this motion.

Under the Court's current Scheduling Order, dated June 5, 2023, the Federal and Intervenor Defendants' opposition briefs are due June 20, 2023 and the Plaintiff States' reply is due June 27, 2023. Federal and Intervenor Defendants respectfully request a 30-day continuance of those deadlines, such that Federal and Intervenor Defendants' opposition briefs would be due July 20, 2023 and the Plaintiff States' reply would be due July 27, 2023.

The parties believe that this 30-day continuance would benefit the Court by allowing for more thorough briefing and treatment of the evidence. Discovery in this case was not produced until May 19, 2023, and the parties are continuing to work through certain disputes regarding those productions in advance of the June 16 deadline to resolve discovery disputes or file any motions with the Court. The June 20 deadline provides the parties insufficient time to meaningfully incorporate in the briefing discovery issues resolved during that window. A continuance of the briefing deadlines would permit the parties needed time to resolve or narrow the issues, and to review the evidence and incorporate it into their briefing in a more thorough and considered way. Cognizant that the Court requires sufficient time to review briefing in advance of trial, the parties observe that the requested continuance would still put the close of briefing four full weeks before commencement of trial on August 24, 2023.

For all of these reasons, Federal and Intervenor Defendants request a continuance of the deadline for Defendants' opposition briefing to July 20, 2023 and the deadline for Plaintiff States' reply to July 27, 2023. If the Court is disinclined to grant this 30-day continuance, Federal and Intervenor Defendants respectfully request a 23-day continuance making Federal and Intervenor Defendants' oppositions due July 13, and Plaintiff States' reply due July 20.

Dated: June 8, 2023

Respectfully submitted,

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CERTIFICATE OF CONFERENCE

On June 8, 2023, counsel for Federal and Intervenor Defendants conferred via email with counsel for the Plaintiff States regarding this Request. The Plaintiff States are not opposed.

/s/ Kate Shih
Kate Shih

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing instrument was served via ECF pursuant to the Federal Rules of Civil Procedure on the 8th day of June 2023, upon all counsel of record in this matter.

/s/ Kate Shih
Kate Shih